

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 2, 5-46, 48-51, 53 and 54 are pending in the application, with 1, 48, 49 and 54 being the independent claims. Applicants respectfully thank the Examiner for the allowance of claims 1-2, 5-46, 48, and 54.

By this amendment, Applicants seek to amend claim 49. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Applicants also submit a Request to Approve Proposed Drawing Corrections to address objections to the drawings in the Official Action.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

**Objections to the Drawings**

The drawings stand objected to because of informalities. As noted above, Applicants submit the attached Request to Approve Proposed Drawing Corrections to correct the informalities.

**Rejections Under 35 U.S.C. § 102**

Claim 49 stands rejected under 35 U.S.C. Sec. 102(b) as being anticipated by Williams (5,598,435). Applicants traverse this rejection because the cited reference fails to disclose, teach, or suggest all the features of the claimed invention.

For example, the cited reference (Williams) fails to disclose, teach, or suggest a communication system including a data transformer transforming data bits into a transmission symbol composed of data bit vectors, each vector being composed of a selectable predetermined integer number of the data bits, wherein the selectable predetermined integer number of data bits includes a first integer number of  $k$  bits and a second integer number of  $k+1$  bits, as recited in claim 49. This feature is discussed, for example, in Applicants' specification page 8, line 24 to page 10, line 17.

If a future Office Action rejects claim 49, Applicants respectfully request that the Official Action specifically point out in the cited reference a data transformer transforming data bits into a transmission symbol composed of data bit vectors, each vector being composed of a selectable predetermined integer number of the data bits, the selectable predetermined integer number of data bits including a first integer number of  $k$  bits and a second integer number of  $k+1$  bits.

It is respectfully pointed out that anticipation can only be established by a single prior art reference that discloses each and every element of the claimed invention. RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440 (Fed. Cir. 1984). Therefore, since the cited reference fails to recite each and every element recited in claim 49, claim 49 is not anticipated by the cited reference and is therefore allowable. Reconsideration and withdrawal of the rejection of claim 49 is, therefore, respectfully requested.

Claims 50 and 51 depend from claim 49 and are therefore allowable at least for the reasons claim 49 is allowable, and for the specific features recited therein.

**Allowable Subject Matter**

The Office Action indicated that claims 50-51 would be allowable if rewritten in independent form, including all of the limitations of the base claim(s) and any intervening claims. Applicants, however, choose not to rewrite claims 50-51 at this time.

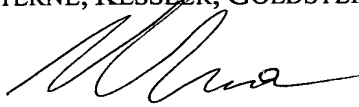
### ***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Theodore A. Wood  
Attorney for Applicants  
Registration No. 52,374

Date: July 26, 2006

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

562173\_1.DOC